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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/455,956 12/07/99 HAMEEN-ANTTILA

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MICHAEL C STUART ESQ
COHEN PONTANI LIEBERMAN & PAVANE
551 FIFTH AVE
SUITE 1210
NEW YORK NY 10176

EXAMINER

WHITE, C

ART UNIT

PAPER NUMBER

3713

DATE MAILED:

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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Office Action Summary	Application No. 09/455,956	Applicant(s) HAMEEN-ANTTILA, TAPIO	
	Examiner Carmen D. White	Art Unit 3713	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- | | |
|---|--|
| 15) <input type="checkbox"/> Notice of References Cited (PTO-892) | 18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 16) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 17) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 20) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Rejections - 35 USC § 112- 1st Paragraph

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 13 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 13 discloses a "filter adapting device" for performing this function.

However, the specification does not disclose what the components of the "filter adapting device" are and how it works.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 5, 9-11 and 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lobb et al (5,810,680).

Regarding claims 1 and 3, Lobb discloses a system of transmitting sport data between a mobile terminal and a sport server the system including the following steps: establishing communication between the mobile terminal and the sport server via a

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communications network; inputting sport data into the mobile terminal; transmitting the inputted sport data from a mobile unit to a sport server via a public communications network (col. 8, line 1-26; col. 8, lines 59-67; col. 9; Fig. 2; Fig. 2A); and recording the data into a database (Lobb- col. 8, lines 59-67 through col. 9, lines 1-23; Fig. 2, Fig. 2A, abstract). While Lobb teaches the use of the system for a particular sport, golf, Lobb does not teach the step of allowing the user to select a sport to which the sport data pertains. It would have been obvious to a person of ordinary skill in the art to use the computer sports data system of Lobb to store various types of sports information. This is merely an obvious matter of choice well within the capabilities of those skilled in the art. The mobile unit of Lobb is capable of allowing the user to input various types of information. The use of computers to input information and store them in different databases is well known in the art.

Regarding claim 2, Lobb teaches all the limitations of the claims as discussed above. The references further teach the determination of a geographical location of the mobile terminal (Lobb- abstract). While Lobb teaches that the communication between the mobile terminal and the sports server is specific to the area in which the mobile terminal is located, Lobb does not teach the accessing of different sports databases in response to the geographical information. It would have been obvious to include this feature in the systems of Lobb as a matter of programming the software of the systems to access various databases. This is merely an obvious matter of choice well within the capabilities of those skilled in the art.

Regarding claims 5 and 9-11, 13-20, Lobb discloses all the limitations of the claims as discussed above. Lobb further teach the prompting of the users to input information (Lobb- col. 9, lines 14-17). Lobb lacks teaching the inputting of a particular type of sport. It would have been obvious to include this feature in Lobb as an obvious matter of choice well within the capabilities of those skilled in the art. This would merely involve including this feature in the software programs of Lobb.

Claims 4, 6-8, 12 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lobb et al in view of Rudow et al (5,878,369).

Regarding claim 4, 6-8, 12 and 21 Lobb discloses all the limitations of the claims as discussed above. Lobb lacks disclosing the identification of a type of output device. In an analogous sports database system, Rudow et al teaches the assignment of a unique ID number to mobile units (col. 5, lines 6-7). It would have been obvious to a person of ordinary skill in the art to employ ID numbers in the system of Lobb in order to allow the systems to determine what type of output device each of the mobile units are.

Examiner's Response to Applicant's Remarks

Applicant's arguments and clarification of the instant claim invention have overcome the 112 1st paragraph rejection of claims 4, 6-8, 10-12 and 14-21. Applicant's remarks indicate that no novel mobile communications means are used in the instant claimed invention. Applicant further asserts that the mobile communications systems (hardware/software) are well known in the art and are prior art. However, it is still not clear from the instant disclosure as to what components are used in the "filter adapting device". This feature is discussed on page 13 of the instant specification and

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described as a means "for adapting the sport data to the desired format for each individual output device". It is not clear what software/hardware is used. Applicant's remarks seem to indicate that prior, well known circuitry is used (last paragraph, p. 7 of remarks). Applicant refers to attachment B for more description of this feature in MExE mobile station system. However, the B attachment has not been included with the remarks. Applicant refers to attachments A and B, which have not been submitted with the communications filed by Applicant on March 12, 2001.

Regarding Applicant's argument that Lobb fails to teach or suggest limitations of steps (a) and (d) in claim 1, the examiner respectfully disagrees. Lobb clearly teaches the features of connecting the mobile terminal and a sport server via a public mobile communications network and transmitting sport data from the mobile terminal to the sport server via this communication network. Fig. 2A of Lobb shows the mobile unit communicating with a sport server (remote computer) via a modem. The user is able to upload/download data to/from a local or national database, so that this information can be accessed by the player from any place, at any golf course (col.8, lines 12-26). Further Lobb teaches that the mobile unit can transfer information via an infrared (wireless) connection (col. 8, lines 1-11). Applicant has similar arguments for independent claim 12.

Applicant has disclosed in the remarks that the types of public mobile communications networks used in the instant claimed invention are well known and prior art (WAP, TCP/IP, etc.) Further, the examiner asserts that any one of these well known public communications networks could be used in the mobile communications

system of Lobb et al, as an obvious matter of choice well within the capabilities of those skilled in the art. Applicant has not disclosed any novel type of communications network for communicating between the instant claimed mobile terminal and the instant claimed sport server.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


USPTO Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carmen D. White whose telephone number is 703-308-5275. The examiner can normally be reached on Monday through Friday, 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on 703-308-4119. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7768 for regular communications and 703-305-3579 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1078.


Carmen White
Patent Examiner


VALENCIA MARTIN-WALLACE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700